

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

PREMLATA BAID, et al.,

Plaintiff(s),

vs.

NAUTILUS, INC., et al.,

Defendant(s).

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Case No. 4:10CV622 JCH

ORDER

This matter is before the Court upon the parties' Joint Motion for Amended Case Management Order, filed September 14, 2011. (ECF No. 65). Upon consideration, the Court will grant the motion in part.

Accordingly,

IT IS HEREBY ORDERED that the parties' Joint Motion for Amended Case Management Order (ECF No. 65) is **GRANTED** in part, and the Case Management Order entered in this matter is **MODIFIED** as follows:

I. SCHEDULING PLAN

3. Disclosure shall proceed in the following manner:

(a) Plaintiffs shall disclose expert witnesses and shall provide the reports required by Rule 26(a)(2), Fed.R.Civ.P., no later than **October 14, 2011**, and shall make expert witnesses available for depositions, and have depositions completed, no later than **November 14, 2011**.

(b) Defendant shall disclose all expert witnesses and shall provide the reports required by Rule 26(a)(2), Fed.R.Civ.P., no later than **December 14, 2011**, and shall make expert witnesses available for depositions, and have depositions completed, no later than **January 13, 2012**.

(c) The presumptive limits of ten (10) depositions per side as set forth in Rule 30(a)(2)(A), Fed.R.Civ.P., and twenty-five (25) interrogatories per party as set forth in Rule 33(a), Fed.R.Civ.P., shall apply.

(d) Physical or mental examinations of parties pursuant to Rule 35, Fed.R.Civ.P., must be completed by **October 31, 2011**.

(e) The parties shall complete all discovery in this case no later than **January 13, 2012**.

(f) Motions to compel shall be pursued in a diligent and timely manner, but in no event filed more than eleven (11) days following the discovery deadline set out above.

4. This case has been referred to alternative dispute resolution, and that reference shall terminate on **November 1, 2011**.

5. Any motions to dismiss, motions for summary judgment, motions for judgment on the pleadings or, if applicable, motions to exclude testimony pursuant to Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579 (1993) or Kuhmo Tire Co. Ltd. v. Carmichael, 526 U.S. 137 (1999), must be filed no later than **February 1, 2012**. Any response shall be filed no later than **March 2, 2012**. Any reply shall be filed no later than **March 12, 2012**. In the event dispositive motions are filed prior to the above specified date, the opposing party shall file a response thirty days after the filing of the dispositive motion. A reply may be filed ten (10) days after the filing of the response. Briefing of such motions shall be governed by E.D.Mo. L.R. 4.01.

II. ORDER RELATING TO TRIAL

This action is set for a **JURY** trial on **April 2, 2012**, at **9 a.m.**

IT IS FURTHER ORDERED that all other provisions of the August 18, 2010, Case Management Order remain in effect.

Dated this 19th day of September, 2011.

/s/Jean C. Hamilton

UNITED STATES DISTRICT JUDGE